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ABSTRACT

The emergence of migrant advocates was sparked by the 1960 telecast of the documentary "Harvest of Shame." In the first step forward, Congress enacted a program establishing migrant health centers in 1961. In 1965 the Elementary and Secondary Education Act was passed, in which Title I promised special educational help for disadvantaged children. In 1966, Title I was amended to create the Migrant Education Program (MEP), which provided aid to the states to implement migrant education. The first conference of state representatives concerned with migrant education met in 1968 and developed the amendment into an array of services to migrant students. Ideally structured for state-level advocates, the MEP allowed states great flexibility in program development. The first director of the federal MEP, with a tenure of 16 years, Vic Rivera became a champion of migrant children and families, was instrumental in expanding eligibility definitions and increasing federal funding, and nurtured a partnership between the federal government and the states that resulted in far-reaching interstate efforts to coordinate migrant education services. The most significant of these was the creation of the Migrant Student Records Transfer System, a national student database that stored educational and health information on students whenever they moved. Although the system was discontinued in 1994, new technology applications hold promise for interstate collaboration. Meanwhile, migrant advocates have redirected their efforts toward the state and local levels. (SV)

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CHAPTER 1

A History of Advocacy for Migrant Children and Their Families: More Than 30 Years in the Fields

BY ANGELA BRANZ-SPALL AND AL WRIGHT

Many Americans were deeply stirred by the 1960 Edward R. Murrow documentary *Harvest of Shame*, which documented the strenuous toil, pathetic living conditions, wrenching health and nutritional needs, and miserable poverty of migrant farmworkers in the United States. Prior to the telecast, there was only a small contingent of advocates for migrants. In its wake emerged a phalanx of articulate and determined advocates who campaigned for prompt government intervention to improve conditions. Living and working in third-world circumstances, migrants clearly needed assistance in many forms, but the most basic needs had to be addressed first: health, food, and shelter.

The first action was in 1961, when Congress enacted a program establishing migrant health centers. In the initial years, addressing the problems of migrant education took a back seat to addressing urgent heath issues such as the high incidences of diabetes, tuberculosis, and illnesses caused by pesticides and insecticides. Yet, there *was* an education challenge because so many migrant families traveled with school-aged children. During the harvest season, migrant children were more likely to be working alongside their parents in the fields

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than attending school. Well-meaning groups and individuals sometimes established impromptu schools for migrant children, using church facilities more often than not. The educational establishment rarely extended a hand to migrants, who were viewed merely as temporary residents of an area. Some school systems effectively barred their doors to migrant children. The schools that admitted them were at a loss to provide anything in the way of relevant education, largely because of the language barrier. Consequently, only one of ten migrant children in the 1960s could expect to graduate from high school.

A new day apparently had dawned in 1965, when Congress passed the Elementary and Secondary Education Act (ESEA), the key educational component of President Lyndon Johnson's Great Society program. Title I of ESEA promised special educational help for children disadvantaged by poverty. Although Title I did not specify migrant children by name, Congress's intent was clear. Title I established a national policy to provide special educational assistance to children whose opportunities for learning had been diminished by poverty and cultural deprivation.

While the policy was a good beginning, the mechanism for implementation was ineffective for migrant children. ESEA Title I focused on individual schools and their full-time students; migrant children fell through the cracks. At the time, support for migrant education was scattered and unorganized, but, fortunately, an advocate emerged in the most propitious of locations—Capitol Hill.

Congress passed an amendment to ESEA in November 1966, creating the Migrant Education Program as a component of ESEA Title I. The number of migrant advocates who called for this amendment cannot be determined. The folklore of the Migrant Education Program attributes the entire action to the bill's author, a young Michigan congressman named William D. Ford.[1] Ford, who served long enough to become a powerful chair of the Education and Labor Committee before retiring in 1994, became sympathetic to the plight of migrant workers when he saw them harvesting cherries in his home state. For almost 30 years, Ford was the steward for the Migrant Education

[1] William D. Ford was not related to the automotive Fords.

Program on Capitol Hill, remaining its staunchest advocate while limiting criticism and discussion of issues in the interest of maintaining a united political front. Hundreds of congressmen and senators deferred to Ford on migrant education issues until his retirement.

The 1966 amendment to the ESEA gave the educational establishment a practical reason to become concerned with the schooling of migrant children. Administrators eager to tap the flow of federal funds had one more categorical program to choose from. But it would not be a gold mine; funds for migrant education were not appropriated until 1967, and the amount was a modest $9 million. Virtually no one knew how to apply those dollars effectively to make a difference in the lives of migrant children. The U.S. Office of Education, then part of the Department of Health, Education, and Welfare, asked the states to send representatives to a meeting in Phoenix in early 1968 to work out strategies for implementing the new program.

This meeting was the real starting point for the Migrant Education Program and is considered the first of the program's annual national conferences, which continue to this day. The success of this initial meeting hinged on the states selecting the right delegates. More specifically, it depended upon whether their primary interest was in simply bringing more federal funds into their states or in the educational well-being of migrant children.

Fortunately, the 38 delegates included a rock-solid core of committed advocates for migrant children and families. They formed the leadership cadre that transformed the 1966 amendment into an array of services to migrant students. Prominent in this group were Leo Lopez of California, Larry Jazo of Illinois, Dr. J. O. "Rocky" Maynes of Arizona, Vidal "Vic" Rivera of Arizona, Ardis Snyder of Idaho, Camille Jacobs of Delaware, and Winford "Joe" Miller of Arkansas. Their passion and zeal were infectious, spreading in varying levels of intensity to their colleagues from other states and in their own states. They planted the seeds for a broad and imaginative nationwide effort and built a basic framework for coordination of services throughout the states.

Migrant education was ideally structured for migrant child advocates, especially those at the state level. Congress established the Title I Migrant Education Program as a series of state education agency programs (because the original focus was on students moving from

state to state). The law granted states unusual flexibility in designing and administering programs for migrant students, which ultimately promoted tremendous innovation and creativity among migrant education programs. Ford's initial provisions regarding program flexibility remain basically intact. This is as important today as it ever was due to the highly mobile migrant population.

The primary defining characteristic of the children served by the program is, of course, their migrancy. The program technically is named "Programs for Migratory Children," intended for children who arrive at schools late in the school year and leave early due to the mobile nature of their families' working lives. If a family makes a succession of moves, children may or may not enroll in school. This mobility, driven by the economic necessity of earning a living from agriculture or related businesses such as migratory fishing, is the defining element in the lives of these children and their parents. They also are characterized by poverty, often extreme, and isolation from mainstream communities and services, especially when moving. Situations differ across the nation, and approaches and strategies that work in California may be completely inappropriate for Minnesota or New York.

The Phoenix meeting signalled the willingness of the federal government to let the states determine for themselves how best to assist migrant children. It was the beginning of a highly productive federal-state partnership in which the partners were on the same page. This would not always be the case, although relations never became so strained that migrant children were placed at risk. Beyond doubt, the partnership was most effective when leadership at the national level promoted genuine advocacy for migrant children. This ideal circumstance became a reality shortly after Phoenix and led to the initial years of the Migrant Education Program becoming a kind of golden age.

The single action that had the greatest long-term impact on the Migrant Education Program was the selection of Arizona's "Vic" Rivera to direct the national office. There would never again be such an admixture of advocacy and commitment to flexibility and innovation on the national scene. Rivera was not a born advocate for migrant children but was a passionate individual who fought ferociously for the things he believed in or the causes he adopted. Born a second-

generation Mexican American in Los Angeles, Rivera had no direct experience with the migrant life. A teaching career led to his attachment to the Arizona Department of Education at precisely the right time to become a champion of migrant children and families. Rivera was a creative artist by training and temperament. His creative forces were challenged to the limit as he sought to develop policies, broaden support, and keep the states focused on the task at hand.

Rivera served as director of the national Migrant Education Program for 16 years before downsizing during the Reagan administration led to his departure in 1984. Rivera practically invented migrant education. Regulations for the program were not enacted until 1978, so Rivera worked cooperatively with state leaders for a decade. On many occasions, he fought federal bureaucrats to design effective programs and services for migrant children, develop processes for identifying children, and build interstate structures to address the issues of mobility. Rivera was instrumental, along with Ford, in expanding eligibility definitions for migrancy and increasing funding. During his tenure, Rivera saw the annual appropriation increase from $9 million to $256 million, and the number of children served rise from a few thousand to more than a half million.

After leaving federal government, Rivera became more of a grassroots advocate while consulting for several state programs. Equally at home with a congressman or a strawberry picker, he enjoyed working with migrant parents more than any other aspect of his endeavors. His field visits were interrupted when, with the backing of Congressman Ford, he was named executive director of the National Commission for Migrant Education in 1990. The National Commission on Migrant Education was established in 1988 by the Hawkins-Stafford Act (Public Law 100-297) to study the issues related to the education of migrant children and report its findings to the Secretary of Education and Congress. The Commission's first report addressed the status of the Migrant Student Records Transfer System and was released in 1991. Rivera served only one year before resigning under pressure from Commission chair Linda Chavez, who felt Rivera was too sympathetic to the views of state directors of migrant education. Rivera returned to consulting work and remained active until his health declined. He died in 1998.

During his tenure, Rivera nurtured a profitable partnership between the federal government and states, producing a number of significant innovations, many of them far-reaching interstate efforts to coordinate services. These included teacher exchanges among the states, advance notification systems to aid in identifying migrant students, Portable Assisted Study Sequence (PASS) courses providing alternative means for earning credits, mentoring programs such as Goals for Youth and Mini-Corps, and national programs for secondary credit accrual. The migrant program succeeded in getting migrant children into school and keeping them there. As a result, the migrant graduation rate rose from 10 percent in the 1960s to about 50 percent when Rivera left office in 1984.[2]

The most significant innovation of the Migrant Education Program proved eventually to be the most controversial. Rivera was present at the creation of the Migrant Student Records Transfer System (MSRTS), a national student database that stored critical educational and health information for migrant children whenever they moved. He was gone from the scene when an advocate-starved U.S. Department of Education pulled the plug on the system in 1994, with the approval of Congressman Ford, in a final ironic act ending Ford's long involvement with migrant education. Rivera had been succeeded in office by a succession of career civil servants with bureaucratic rather than personal interest in migrant children. The federal-state partnership suffered; however, Francisco Garcia, himself a former migrant, assumed the directorship of the Office of Migrant Education in 1998 and has given the program new life.

The MSRTS was the first great accomplishment of the Migrant Education Program. Participants in the original Phoenix meeting had identified a critical need to maintain educational and health data on migrant children. A follow-up meeting in Denver produced a broad design for what would become MSRTS. The Migrant Education Program was a pioneer in education technology, planning and implementing a national system for electronic data storage and transfer long before the Internet era. MSRTS became operational in 1971, designed to specifications and expectations set forth by state directors and their

[2] State University of New York Oneonta Migrant Programs, *Migrant Attrition Project: Executive Summary* (Oneonta, NY: MAP Project, 1987).

staffs. Throughout its existence, MSRTS was unique among national databases in that it was always state controlled and not a federal system. MSRTS was connected to almost 100 terminals throughout the nation, collected and maintained academic and health records on nearly 800,000 children, and facilitated the transfer of records among school districts in different states.

The MSRTS helped promote educational sequence and continuity for migrant children regardless of how often and where they might have moved. The records included information about the child's family, schools previously attended, skills mastered, test scores, high school credit accrual, and basic health information such as immunization records. Maintaining the massive system, however, required an enormous investment in equipment and staffing. Eventually, many came to doubt its efficacy as a device for transferring student information. Beginning in 1989, hearings of the National Commission on Migrant Education produced reams of negative testimony on the system. The gist of the criticism was that the system was not working as intended, although stronger enforcement of timely, accurate, and comprehensive data entry would improve its performance. The commission's 1991 report on MSRTS recommended a series of federal and state actions to rectify the problems. Nevertheless, the findings shook Congressman Ford, who had believed the system was working as planned. Perhaps as a result of embarrassment or disillusionment, Ford withdrew his support for MSRTS and drafted the 1994 reauthorization that enabled the U.S. Department of Education to eliminate the system.

During this period, it was evident that advocacy for migrant children had slipped at both the federal and state levels. On the whole, the new generation of state leaders was more inclined to be pragmatic than idealistic. For many years, MSRTS was the glue that held migrant education together, but the new state leaders had lost faith in the system and declined to defend it from its detractors.

Even in its absence, however, states remain obligated to exchange student records. The Improving America's Schools Act of 1994 called upon states to maintain their own methods for transferring these critical records. Most states now use either an Internet-based interstate network called the New Generation System or the state-customized MIS2000 system developed by former MSRTS employees; however,

the long-term solution for keeping migrant student records is not yet at hand. The No Child Left Behind Act of 2001 calls for the U.S. Office of Migrant Education to move toward a national system, which, so far, has been limited to the challenging goal of linking existing systems. Still, resistance is widespread to developing a single national database on the MSRTS model.

The falloff of support for MSRTS and the lack of enthusiasm for any kind of replacement national system might suggest that advocacy for migrant children is declining at the state level. It could be argued, however, that the advocacy has been merely redirected. Instead of focusing on widespread efforts to serve all migrant children nationally, many state-level advocates have concentrated on specific programs to serve migrant children in their own states and in the states to which they migrate. Such efforts have produced the most significant applications of technology since the creation of MSRTS three decades ago.

As the MSRTS experience suggests, appropriate applications of technology are the most promising routes to interstate coordination of services to migrant students. Interstate coordination makes it possible for states to work together on appropriate placement of children in education programs, as well as to design programs to assist with credit accrual, continuity of instruction, records transfer, and other successful interventions that address the effects of migrancy. For example, arrangements for out-of-state student testing make it possible for Texas migrant students who travel to another state to meet the credit accrual requirements of their home-base state.

Long-time migrant advocates such as retired Texas state director Frank Contreras and Brenda Pessin of the Illinois Migrant Council lent their considerable influence to support development of two of the best technology-based programs to emerge in the 1990s. The SMART (Summer Migrants Access Resources Through Technology) Program brings distance-learning courses to approximately 40,000 Texas-based migrant students in 16 states for 8 weeks each summer. Project ESTRELLA places laptop computers in the hands of migrant students moving among several states. For details on these programs, see chapter 13.[3]

[3] *Note from the editors*: Angela Branz-Spall, coauthor of this chapter, played a major role in both Project SMART and Project ESTRELLA. Branz-Spall persuaded

These two projects epitomize the major themes running through the rich history of migrant education. Since 1966, the Migrant Education Program has prioritized intrastate and interstate efforts as well as ingenious instructional approaches, such as Projects SMART and ESTRELLA. Beyond the signature programs, hundreds of educators have contributed to the evolution of migrant education and the improvement of educational opportunities for migrant children and their families. Advocacy at the local level remains a key ingredient in the day-to-day delivery of services to migrant children.

With the question of student records transfer still unresolved and with the blurring of lines among various federal programs, effective advocacy continues to be needed. Our nation's migrant children deserve educational equity, including a fair distribution of resources among schools, districts, and states. They deserve access to technology, linguistically appropriate instruction, and developmentally appropriate early childhood programs. To ensure this access, it is important for state-level advocates to continue intensive collaborations to inform local school staff about the needs of migrant children, children who are often invisible. Better informed school staff are better prepared to plan educationally sound programs; provide high-quality instruction; assess outcomes; and be accountable to local, state, and federal decision makers.

Coordination and collaboration are critical to achieving these important objectives. Schools must initiate contact with each migrant student's previous school and with the new school once the student leaves. This collaborative process may involve telephone calls, a translator or interpreter, e-mail, and written or faxed communications. All schools attended by migrant children bear a collective responsibility for assuring that each educational component blends into a cohesive whole for our nation's children of the road.

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the TEA Migrant Division to underwrite a portion of the "Highways in the Sky" pilot (later known as Project SMART) under the direction of Frank Contreras. They conducted the pilot with students migrating between Texas and Montana during the summer of 1990. In addition to Branz-Spall and Contreras, those involved in writing the operational guide and most of the curriculum for the pilot included Sheila Nichols of Region XX, Dr. Sylvia Castro, and Dr. Tadeo Reyna of Texas A&M. All of the local staffing for the pilot was provided in Montana by the Montana Migrant Education Program. Later, Branz-Spall piloted the "Big Sky to the Lone Star" laptop project, which was the precursor to Project ESTRELLA.

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